

AUGUST 15 MEETING IS CANCELLED;

NEXT MEETING: SEPTEMBER 19 (A.M. TRAINING FOR NEW COUNCIL MEMBERS; P.M. TRAINING BY DAVE ADAMS) SEPTEMBER 20 (SRC MEETING)

May 17, 2000 State Rehabilitation Council Minutes

Present: Fox, Davis (left at 12:30), Battreall, Holcomb (left at 12:30), Shepard, Rasmussen, Lloyd, Hodges, Ortmeier, Nolan Brown, Bloechle, Kolb, Uehling, Vavrina

Absent: Gieschen, Temple, Carey, Zabawa

Guest: Mel Bargas

I. Public Comment — None

II. Approval of Agenda

⇒Neither Curt Beck nor Joan Modrell could attend the SRC meeting.

⇒Don Crouch added Item F. under VII. New Business: RSA Regs Comments from Vocational Rehabilitation.

A motion to approve the agenda was made by Vavrina and seconded by Davis. Motion passed.

III. Approval of Minutes from March 21, 2000

Sharon made correction on page 5, C., **Interagency Outreach**, 2nd paragraph, remove “regarding transition students.” A motion to approve the minutes as corrected was made by Nolan Brown and seconded by Battreall. Motion passed.

IV. Presentation — Workforce Investment Board (*Curt Beck*)

Neither Curt Beck nor Joan Modrell could attend the SRC meeting.

Davis reported that Greater Nebraska selected DOL as the one stop operator for Greater Nebraska. The plan is for the GI One-Stop Center to be certified and operational by December 31, 2000. Beatrice is the second comprehensive one-stop to be certified and operating by June 30, 2001. DOL is restructuring employment services due to them being chosen as the one-stop operator. Office manager positions are being re-evaluated; could apply to be one-stop managers in the one-stop centers. Western Management Services is operating 4 programs within WIA which are: adults, dislocated workers, youth and Welfare to Work.

Holcomb reported that the City of Lincoln will be the one-stop operator in Gold's Galleria. Haven't selected WIA service provider. Have released RFP for youth services.

No funds are allocated for youth activity this summer. Youth services will be a year round program and is expected to include services during the summer.

Omaha has now certified their board. The MOUs have to be in place by July 1. DOL will be providing technical assistance to help them meet the deadline. City of Omaha has been designated as the one-stop operator in Omaha; 24th & Lake is the tentative location. There will be a Partners Forum meeting at 9 a.m. on 5/24/00 at the O.P.P.D. auditorium, 444 S. 16th, (16th& Harney), to make some decisions regarding the one-stop system.

Jack read an article where the U.S. Labor Department's proposed 2001 budget included funding for a new Office on Disability Policy, Evaluation and Technical Assistance. The office would be charged with increasing the employment rate of people with disabilities by helping consumers enter, re-enter, remain in workforce. What is this going to do in work force development? What is the difference between what this office does and VR does? According to Commissioner Schroeder, this will not be a service provider program, but will focus on technical assistance for generic one-stop staff to be able to work with people with disabilities.

V. Reports

A. Director's Report (*Frank Lloyd*)

Workforce Development All areas are working on MOUs. Frank met with Joan and Curt yesterday where reps from Education, HHS, Economic Development meet to be aware of what is going on. How much money, what people, what services, duration of MOUs are critical questions not negotiated yet. Joan handed out an MOU sample. One statement in the cost section indicated that all partners would share in the cost of the centers. Frank is concerned about indirect cost and paying for core services available to the general public such as the resource room. VR can only work with people who are VR eligible and cannot use VR dollars to serve the general public. In Columbus, VR will probably have staff at the one-stop. O'Neill, Chadron and McCook may be other possibilities. Frank is concerned about doubling staff support costs if staff are housed at the VR office as well as the one-stop center. VR staff work in local communities and serve as a resource for other VR staff within employment teams in servicing large geographic areas. The major link with the one-stops will be through itinerant staff going to the one-stops and through the communication links with the one-stop system.

Davis has a different view. She is concerned that people with disabilities will be discriminated against if VR staff are not located in one-stops. If a person walks through the workforce investment door, they should be able to be served by any of the agencies. Using 19 different applications is frustrating. The resolution language (VI. B) is definitely not supportive of the one-stop philosophy.

Lloyd doesn't see this as segregation. VR staff work in the community. VR is a resource for clients who need these services. Anyone who works with VR doesn't fill out 19 applications. If people go into the NWAS system, VR will have this information.

Michelle asked why does VR participate where they only want to participate? Workforce investment is a federal law. Lloyd mentioned that WIA would love to have VR staff because of our skills but feels that VR must serve only those clients who meet VR eligibility.

Training for VR staff has been provided during the past few months on "front end planning", new staff orientation (overall view of VR), direct service provision and computer system basics. The career planning guide has been formatted. Training on how to use the guide will be provided shortly.

QUEST work continues on NWAS and QUEST. VR hopefully has the final draft of the common data elements for the one-stop partnerships. VR has been careful to restrict information that might reveal the nature of a client's disability. The common data elements will be available to any of the 19 one-stop partners as well as numerous private providers linked to the one-stop system.

The Marriott Project continues to be successful. 50-60 clients have been employed. VR has an apartment set up in Omaha for out-state clients going through evaluation and training. The Marriott Reservation Center is able to use a drag and dictate system to utilize their database. VR is looking at software for clients to use. Marriott may consider helping some VR clients work out of their homes.

Apprenticeship training is an important employment option for clients. VR has signed an agreement with Nebraska State Office of the Bureau of Apprenticeship and Training to advance the expansion of quality apprenticeship training and the role of vocational and applied technology education for VR consumers. VR staff will receive apprenticeship training from the Bureau in the near future.

LPS cooperative funding project focuses on linking jobs and students who experience a behavioral disorder or learning disability. The program is just getting started but they are having good success with 9 placements in jobs since January.

VR continues to work with **MH providers** around the state. 79% of the funding is paid by VR; 21% is paid by the provider. The outcomes have not been as high as had been hoped. VR staff are working with George Hanigan of the MH/HHS program and provider subcommittees to explore options for a 50/50 split in agreement funding.

B. CAP Report (*Vicki Rasmussen*)

Since the last meeting, Rasmussen has had 6 calls: 1) asking if VR was paying for summer school? (waiting for release form); 2) questions regarding VR services due to the fact that the client is being served by Wisconsin VR and wants to transfer to NE VR (referred client to Wisconsin CAP; will follow-up with client); 3) dissatisfied with placement services (waiting for release); 4) dissatisfied with specialist because of school funding (need to visit with VR team); 5) dissatisfied with specialist (waiting for release); 6) felt like student wasn't evaluated adequately (is in process of talking with parent).

The next JAM at Terrytown, NE is July 27. An SRC member is needed for the JAM panel (Bloechle will talk to Gieschen about attending); Battreall could attend if Gieschen can't; Fox could also attend if others are going.

Illinois CAP was looking at NE's CAP after Illinois VR staff visited Nebraska. Illinois was concerned about our orientation in front-end planning. Illinois CAP thought Nebraska VR was screening applicants. Rasmussen told Illinois that she has been involved with Nebraska VR and feels there is no problem.

C. SOS Written Report (*Mark Schultz*)

No report was submitted.

D. SILC Report (*Tim Kolb*)

Tim Kolb wanted members to know the following website for access to the Proposed Regs:
<http://www.ed.gov/legislation/FedRegister/proprule/2000-1/022800a.html>

VI. Old Business

A. WIA Resolution (*Sharon Bloechle*)

After considerable discussion on what the resolution meant and what wording changes needed to be made, Vavrina made a motion and Fox seconded the motion that the proposed resolution be tabled. Motion passed.

B. SRC Training from RCEP (*Don Crouch*)

Discussed having Dave Adams from Southern Illinois University come and provide training to the Council. Training would center on what the real role of the Council should be, the requirements of the Act and what other Councils are doing. A motion was made by Fox and seconded by Nolan Brown to bring Adams here for training. We will need to pay for his expenses but there is no stipend fee. Motion passed. Discussed having new Council member training and Adams training on 9/12/00 and the Council meeting on 9/13/00. (NOTE: These dates did not work for Adams so the dates have been changed. New Council member training will be on the morning of 9/19/00 with Adams training in the afternoon. The SRC meeting will be on 9/20/00.)

C. Executive Committee Vacancy (*Sharon Bloechle*)

Josie Johnson had to resign due to her job. Vavrina nominated Michelle Davis to fill Johnson's position on the Executive Committee. Fox seconded. Davis agrees with the nomination. Motion passed.

D. Recruitment of New Council Members (*Sharon Bloechle*)

The Executive Committee reviewed applications received recently and will be recommending two new members to the Board of Education for approval. We expect to receive another application within the next few days which that individual will be recommended for approval as well. We do not at this time have a majority of persons with disabilities on the Council. EVERY COUNCIL MEMBER SHOULD ACTIVELY RECRUIT PERSONS WITH DISABILITIES. VR will ask staff for names. Kolb will ask the Independent Living Council members for names. A letter will be sent to DD service coordinators and to some behavioral health organizations. Kolb will see if his wife might be interested. Some discussion was held concerning whether the Council should have evening meetings to accommodate working individuals.

E. Rule 71 Update (*Don Crouch*)

This is the rule that talks about formal review of determinations. Major changes are: removed the section wherein director could overturn hearing officer's decision; hearing officer's decision is final; also a 30 day timeline for appealing an agency determination was added. The Rule is at the Attorney General's office now.

F. Committee Reports

Interagency Outreach: Shepard reported the committee thought it would be a good idea to have a board member from the Omaha WIA board come and talk to the SRC. Shepard will draft a letter to Diane Thomas asking her if she could meet with the Council. Bloechle will follow-up. NE Advocacy wanted to present to the SRC. Jack will invite them to the September meeting to give an overview on services. Special Education Advisory is developing recommended policies on graduating seniors and initiatives on identifying different strategies to stop dropouts. Jack will send information to Sharon or Cathy.

Public Policy: The Supreme Court is exploring several cases that may affect the ADA. Kolb will work on goals for next year for the September meeting.

Client Services: Ortmeier had invited 3 office directors (Frazier, Rogers, Vohland) to provide information on how team services are working in the offices. What if the specialist and consumer work out a plan, take it to the team and the team doesn't approve the plan. What are the consumer's rights? Should there be changes to the plan if the consumer disagrees with VR? Judy made a motion that when teams meet to go over the consumer's individual employment plan and a request is made by the team member before finalization, a consumer has the right to meet with the team. Bob seconded. Motion tabled.

VII. New Business

A. JAM Report (*Merwyn Vavrina*)

Vavrina was the SRC representative at the last JAM in April. Had about 60 participants. Are there any comments through the web page beings he mentioned this to the JAM participants? VR staff did not know of any. Had a person feel more empowered after attending JAM in their discussions with their school about IEP's.

B. Financial Participation Policy (*Don Crouch*)

Crouch reported that the committee working on changes in client financial participation in the cost of services has completed their recommendations. (Bloechle served on that committee.) A different formula is being recommended for determining the client's ability to contribute based on their income and assets. VR feels the new formulas will result in a more realistic decision on what clients can contribute. Area Administrators can make exceptions on individual cases. Formulas were discussed with Council members. The recommendations will be included in a proposed Rule 72 revision.

Battreall made a motion to support the revised financial participation policy as developed by the committee. Nolan Brown seconded. Passed.

This still has to go to the Board, public hearing, and to the Attorney General's Office.

C. Post-Secondary Committee (*Don Crouch*)

Crouch reported that the committee working on changes in client financial participation in the cost of post secondary school costs has completed their recommendations. Financial participation in school costs is determined differently than financial participation described in VII. B. above which covers all other services. VR has received information from school financial aid offices and from other sources that indicate the current method of determining VR funding results in clients receiving more total aid than needed. Recommended changes were discussed with the Council members. The overall result is that VR will be contributing slightly less on the cost of schooling. Area Administrators can make exceptions on individual cases. The recommendations will be included in a proposed Rule 72 revision.

Shepard made a motion to approve the proposed financial participation policy. Fox seconded. Motion passed.

D. SRC Information Guide (*Sharon Bloechle*) Bloechle handed out the "bookmark."

E. Questions for Frederick Schroeder (*Sharon Bloechle*)

(The session with Frederick Schroeder was to be taped; unfortunately, the system did not tape. The following comments were taken from notes from several attendees.)

- WIA aims to have services delivered in a seamless manner
- does NOT blend money and is NOT a block grant
- does NOT integrate staff
- it is a coordination of 2 programs that deliver entirely different services

The basic tenet of DOL is to deliver the least amount of service to get client a job.

The basic tenet of Rehab is to prepare a person for a LIFETIME of employment

WIA views its customer as the employer; VR sees employer as a partner

The new dollars going to DOL to serve people with disabilities is to give emphasis and visibility to disability issues and help integrate disability issues into DOL training. They serve the total public and some will have disability issues but not need rehab so they are the responsibility of labor.

How can a state operating under an OOS be expected to provide funds for "core services."?

Most core services are not applicable to VR's program. VR funds can only be used for rehabilitation of individuals with disabilities (who meet the VR eligibility). When a question comes up, ask "Is it a rehabilitative service?"

How does RSA see VR and one stop work together? What would VR's role be in the one-stop center?

- Eligibility - only if it meets our VR standards.
- Assessment impermissible use of rehab dollars - is "prior" to Rehab services
- Providing technical assistance to others at one-stop is not prohibited and is permissible but not mandated

In the WIA, VR is being asked to contribute to resource center that is open to the public. Can this be done?

Eligibility of clients must be performed by qualified VR personnel (Master's trained personnel).

Resource Room is not a part of VR. There is nothing in VR regs that would compel a VR agency to participate in funding of resource centers; this would be an inappropriate use of VR dollars. Regs state it is impermissible to use VR dollars to serve the general population. If the nature of the Resource Room should change then ask, "Is it providing a Rehab service or a generic service?"

Where is the consumer friendly guide to the Rehab Act that RSA is putting out?

Final draft shared in middle of April with CSAVR. Within 30 days, hopefully this will be published.

Tell us about the new Office on Disability Policy, Evaluation and Technical Assistance. What has been the relationship with WI, DOL and RSA? How does this office fit into the picture?

This office is not a duplication of services; will not be a service provider program. RSA was asked for input. RSA will not administer the program. That office will give emphasize and profile VR issues. DOL recognizes that they don't serve disability programs very well. There needs to be permanent disability policy at the high level of DOL.

Are we moving to Labor? No.

The Rehab Act says put our people to work in competitive full time employment. We will be measured by the percentage of people in the workforce. We could have dollars taken away if we don't do well; does he see us serving homemakers, sheltered work which is not competitive full time?

Thinking about changing sheltered work as an allowable closure; homemaker will be harder because of dollars. Have to get Congress and President to appropriate dollars through Title VII. Then a rule change.

F. RSA Regs Comments from Vocational Rehabilitation (*Don Crouch*)

Crouch made mention that Cathy sent proposed regs out to council members; any input you want to make to VR about the regs or the comments VR made to RSA would be appreciated.

Shepard made the motion to adjourn the meeting. Fox seconded. Motion passed.